

REMARKS

The office action reopening prosecution after applicant had filed his appeal brief has been carefully reviewed and compared to prior office actions. The new Kakiuchi reference is not really new inasmuch as it is the publication of the 6,612,039 Kakiuchi patent that has been the secondary reference in immediately prior rejections. The examiner has now made Kakiuchi the principal reference in the rejection of claims 1-4 under 35 U.S.C. 102(b). The prior rejection of claims 1-3 based upon an anticipation by Kramer has been maintained.

In an effort to advance the prosecution and hopefully end it with an allowance of these claims, independent claims 1 and 4 have been amended to emphasize differences between the clamping apparatus as claimed and the prior art including Kakiuchi and Kramer.

Claim 1 has now been amended to recite that "the blade is of the type which has a shank portion with a hole end outwardly extending shoulders on opposite sides thereof between the distal end of the shank and the blade portion". It also now recites that said apparatus "having an unclamped position and a clamped position wherein the shank portion of the blade can be inserted into said opening when it is in said unclamped position and be securely retained therein with the shoulders engaging the apparatus when in the clamped position." Also, the claim now states that said apparatus "engaging the shoulders of the blade and pushing the blade shank portion outwardly when said apparatus is moved to said unclamped position."

With regard to claim 1, it is believed that Kakiuchi simply does not anticipate, teach or suggest this claim. Kakiuchi has a control member 20 which rides in the indentation 2c (paragraph 0050) in and during when the base 3b of the blade 3 is inserted and pressed into the slot 2a, the base 3b pushes the blade locked control member 20 inwardly toward the inner part of the indentation 2c (i.e., towards the rear of the rod 2)

against the biasing force of the spring 21. (¶ 0059). Thus, the end surface of the base is what causes the Kakiuchi clamp to move to the locking position. This is different from the clamping apparatus as claimed here which not only has “the blade can be inserted into said opening when it is in said unclamped position and be securely retained therein with the shoulders engaging the apparatus when in said clamped position”, but also includes the recitation “said apparatus being released when the shoulders of the blade shank portion engage said apparatus as the shank portion is inserted into the opening and slot a predetermined distance to thereby place said apparatus in said clamped position”.

Not only that, claim 1 states that “said apparatus engaging the blade shoulders and pushing the blade shank portion outwardly when said apparatus is moved to said unclamped position.” All of the recited interaction of the shoulders is set forth at the above-described locations in the claim are totally missing from Kakiuchi which has no shoulders.

It is believed that the outwardly extending shoulders on opposite sides of the shank portion of the blade that are used to contact the apparatus and move it from the unclamped position to the clamped position and which remain in contact with the apparatus as shown in Figs. 1, 3 and 5 when the blade is locked in its clamped position provides more stability to the blade during use which is not possible with the Kakiuchi design because Kakiuchi has no shoulders. For all of the above stated reasons, it is believed that Kakiuchi fails to anticipate, teach or suggest this claim.

The above arguments also equally apply to claim 4 which has claim recitations that are similar to those of claim 1.

With regard to the rejection of claims 1-3 based on Kramer, the arguments that have been made previously continue to be valid. The examiner states in the present rejection that “Kramer shows the apparatus being biased via spring 54 toward the clamped position and being operable to maintain its unclamped position via a releasable retaining mechanism (cam collar 56 and collar housing 59 rotated to unclamped/released position by a user/operator *and held there*) when placed in the unclamped position.”

This is the most ridiculous contention that can be imagined. Not only did the examiner admit in the previous office action that “*Kramer et al. ‘548 lacks a specific releasable retaining mechanism for holding said apparatus in its unclamped position when placed in said unclamped position*” (office action 10/03/2006, page 4, paragraph 5, lines 2-4), *the examiner now asserts that the user is a part of the claimed mechanism.* This is absurd, and demonstrably does not provide a prima facie rejection and should be withdrawn for that reason alone.

However, Kramer clearly does not meet all of the elements of claim 1. As previously stated in past responses, claim 1 includes the recitation said apparatus being operable to maintain its unclamped position when placed in said unclamped position. Kramer does not do so as is established at column 5, line 54-61 where it states that in operation before a saw blade is inserted the cam collar 56 is normally in the engaged position due to the biasing action of the spring 54. To insert a saw blade 42, the collar housing 59 is engaged by the user and rotated to the released position thereby allowing the pin 50 to move out of the slot 62. The tang 48 of the saw blade is then inserted into the slot until the shoulder portions of the saw blade contacts the sleeve 58. A review of the structure of the Kramer mechanism clearly indicates that there is no detent position and that would enable the apparatus to maintain its unclamped position and it does not operate in that manner. It also fails to anticipate, teach or suggest the element said apparatus being released when the at least one shoulder of the blade shank portion engages said apparatus as the shank portion is inserted into said opening in a slot a predetermined distance to thereby place said apparatus in said clamped position.

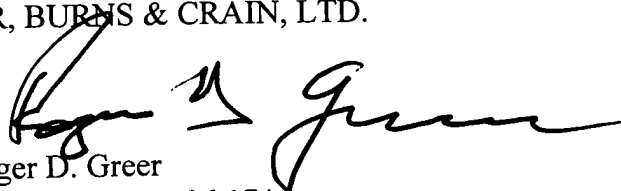
Since the dependent claims 2 and 3 necessarily include the subject matter of claim 1 and in addition recite other features and/or functionality, these claims are also believed to be allowable.

Reconsideration and allowance of all claims is respectfully requested.

Respectfully submitted,

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